



Request for Proposals

Multifamily Sustainable Landscaping Technical Assistance

Release Date: September 25, 2015
Response Deadline: October 12, 2015

I. Introduction

The Association of Bay Area Governments (“ABAG”), on behalf of the San Francisco Bay Area Regional Energy Network (BayREN), announces a Request for Proposals (RFP) for Multifamily Sustainable Landscaping Technical Assistance to support of implementation of our multifamily energy efficiency subprogram. The services will be provided in calendar year 2015, for a not-to-exceed budget of \$50,000. The BayREN is a regional energy network comprised of the nine-county member governments of the ABAG geographic region.¹ Additional information about the BayREN and our multifamily program may be found at our website, www.bayren.org.

II. Intent and Terms of RFP

BayREN seeks to engage two landscaping firms or individuals with Irrigation Association certification and Bay Friendly Qualified Professional(s) on staff to provide technical consulting services to owners of multifamily properties with 10,000 square feet or more of landscaping. The contract will be based on time and materials spent with a not to exceed budget of \$5,000 per site. The initial scope is to serve up to ten (10) properties by December 2015. Additional budget and scope is anticipated in 2016 and beyond. The scope, budget, and delivery structure may be adjusted depending upon findings from the initial scope period. BayREN anticipates selecting two firms or individuals to be eligible for portions of the total budget, depending on selection by the multifamily property owners.

III. BayREN’s Multifamily Program

Led by BayREN member agency StopWaste, BayREN’s multifamily program, Bay Area Multifamily Building Enhancements (BAMBE) offers free energy and water efficiency consulting and a flat rebate of \$750 per unit for reducing energy and water use by a minimum percentage defined by the program through multiple efficiency measures. Consulting services offered to date by San Francisco Department of the Environment in San Francisco (SFE), and Association of Energy Affordability (AEA) in the remaining eight counties, have been limited to energy and indoor water usage. The program is expanding its consulting offerings to include landscaping, identified as a water saving opportunity in the multifamily sector. The California Public Utilities Commission (CPUC) has indicated an interest in leveraging energy efficiency programs to deliver water conserving technologies, citing the savings of embodied energy

¹ ABAG’s county members include Alameda (represented by StopWaste), Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano (represented by City of Suisun), and Sonoma (represented by the Sonoma County Regional Climate Protection Authority).

required to treat and deliver water. An ongoing CPUC proceeding on water-energy nexus has produced a calculator tool and methodology for quantifying these embodied savings.

IV. Scope of Work

The Scope of Work (SOW) is intended as a general guide of the type of activities that may be performed and is not intended to be a complete list of all work. The scope may be adjusted according to the needs of the multifamily property owners. Services do not include extensive design work. Successful candidates will provide recommendations to multifamily property owners that would result in irrigation water savings. This will likely require some pre-work, a site visit, and recommendation development after the site visit.

As used herein, the “BayREN team” refers to BAMBE’s lead administrator StopWaste and its technical consultants, primarily AEA and SFE.

The deliverables per site include:

- Pre-installation site visit and post-installation site visit (if installation occurs)
- Mentoring: Allow BayREN technical staff to shadow landscaping site visit and discuss findings and recommendations
- Baseline audit report (1-2 pages)
 - Estimate baseline water consumption in gallons per year
 - Develop water budget for site that complies with current Water Efficiency Landscape Ordinance (WELO)
 - Identify high water usage species, including turf
 - Identify inefficient irrigation systems (irrigation audit)
 - Evaluate soil infiltration rates and soil conditions, including a soil test for nutrients, organic matter content and pH
- Recommendations report (2-3 pages) addressing:
 - Replacing turf using sheet mulching best practices, replacing high water species, hydrozoning, and plant palette selection
 - Using sheet mulch for weed control and/or for lawn to low water garden conversions
 - Soil aeration and compost and mulch recommendations, including organic fertilizer amendments appropriate for the recommended plant palette
 - Irrigation system improvements, including distribution uniformity, controller efficiency or upgrade recommendations, submetering, pressure regulators, master valves, conversion to low volume irrigation, and leak repair
 - Meeting applicable WELO requirements
- Post-installation audit report (1-2 pages; if installation occurs)
 - Verify installed improvements and conduct irrigation audit
 - Estimate new water consumption levels
 - Quantify estimated water savings compared to baseline condition

V. Submission Requirements

A. Time and Place for Submission of Proposals.

Proposals must be received **no later than 3:00 p.m. PST on October 12, 2015**. The ABAG time and date stamp will be the basis of determining delivery of receipt of proposals. Late submissions will not be

accepted. Proposals must be sealed and labeled on the outside of the package to clearly indicate that it is in response to RFP for Multifamily Sustainable Landscaping Technical Assistance (BayREN).

Firms must provide one (1) original and five (5) identical copies of their proposal. A CD with electronic copies of all documents included in the submittal packet shall also be included. The CD files shall be readable by Microsoft Office products and/or in standard PDF format. All proposals shall be sent to:

Jennifer K. Berg
BayREN Project Manager
Association of Bay Area Governments
MetroCenter
101 Eighth Street
Oakland, CA 94607

B. Format and Content of Proposals.

To provide an objective, fair review of all proposals, the submittals are to include only the following required information:

1. Summary of the firm or individual proposing to provide services, including name of primary contact for this contract, a list of key personnel, number of Bay-Friendly Qualified Staff members and IA certified staff, landscape construction business license verification and maximum hours available for the contract period. Please include brief resumes for the primary contact and key personnel, including any experience with:
 - Irrigation audits & reports, including low volume irrigation systems
 - Bay-Friendly Rated Landscapes
 - Sheet mulching
 - Water budgeting
 - Calculating cost savings for water and labor, including return on investment (ROI)
2. Professional fee schedule for the primary contact and the key personnel identified above who would be working this project. Unless specified in the submittals, StopWaste staff will assume that the professional fee schedule will include any costs associated with complying with StopWaste's insurance requirements as specified in Attachment A.
3. Description and explanation of what you are able to deliver within the per-site budget of \$5,000. If you are not able to deliver the full list of deliverables, please indicate which deliverables you would prioritize and cover within the \$5,000 budget and explain the rationale for prioritizing those deliverables.
4. Include a list of at least 3 multifamily projects with contact information for which you have prepared recommendations similar to that described in Section IV, and sample of at least one such recommendations report you have prepared. Note any projects that were Bay Friendly Rated.
5. Signed copy of document titled, "Insurance Policies and Statement of Economic Interest," (Attachment A).

Proposers shall also meet these minimum requirements:

1. Consultant has at least 5 years' experience as a licensed C-27 landscape contractor, have IA certified and Bay-Friendly Qualified staff, and implemented low-water, environmentally-friendly, Bay-Friendly Rated/practices into landscape design, construction or maintenance projects.
2. Location in the Greater Bay Area – Given that the sites for technical assistance and training are located in the nine Bay Area counties, it is preferred that key personnel employed by firms or individuals responding to this RFP be located in the Greater Bay Area.
3. Insurance requirements: Vendor must be able to comply with the terms of our professional services agreement which includes the following insurance requirements:
 - REQUIRED: Comprehensive general liability insurance, including personal injury liability, blanket contractual liability, and broad-form property damage liability coverage. The combined single limit for bodily injury and property damage shall be not less than \$2,000,000.
 - REQUIRED: Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented, and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
 - REQUIRED: Statutory workers' compensation and employer's liability insurance as required by state law.
 - Professional liability insurance. The limit of liability shall be not less than \$1,000,000. Professional Liability Insurance (see Section V) – It is preferred that individuals and firms responding to this RFQ be able to obtain Professional Liability Insurance with the limit of liability not less than \$1,000,000. However, depending on the scope of services agreed to under the terms of a contract, this requirement may be waived at the discretion of StopWaste staff. All other insurance is required as a term of contracting with Alameda County Waste Management Authority.

VI. Schedule of Events and Opportunity for Questions

ABAG will endeavor to adhere to the following schedule:

Action	Date
Release of RFP	September 25, 2015
Deadline To Submit Written Questions or Requests for Clarification	October 2, 2015 by 3:00 p.m. PST
Response to Written Questions/RFP Amendments (Addendum if necessary)	October 6, 2015
Deadline for Submission of Proposals	October 12, 2015 by 3:00 p.m. PST
Identity and Notify Finalist(s)	October 19, 2015
Contracting	Completed by October 30, 2015
Complete all work	December 23, 2015

All questions regarding the RFP shall be delivered via electronic email only to the ABAG designated Procurement Contact, Jennifer K. Berg at jennyb@abag.ca.gov.

VII. Proposer Qualifications/Evaluation Criteria

A. Written Criteria.

The Evaluation Criteria listed below will be utilized in the evaluation of proposals.

1. _____ (30%) percent: Proposer's ability to meet or exceed the Scope of Work (Section IV of this RFP), relating to any and all categories for which the proposal seeks consideration.
2. _____ (30%) percent: Demonstrated success on previous projects, especially of similar scope, including quality of work and meeting project schedule and budget.
3. _____ (20%) percent: Practical experience and technical qualifications of key staff and sub-consultants in any and all categories for which the proposal seeks consideration.
4. _____ (20%) percent: The integration of first-rate quality, high-return cost-effectiveness strategies into a Proposer's Implementation Plan.

B. Oral Interview.

Following the evaluation of the written proposals, ABAG may conduct oral interviews of up to three proposers receiving the highest scores on the written submission.

VIII. Additional Terms and Conditions

This request for proposals, and proposals submitted by firms, are subject to the following:

A. Contract Award

All contract(s) issued by ABAG under this RFP are expected to commence as soon as possible and expire no later than December 31, 2015², provided, however, that all proposers and successful Grantee(s) acknowledge, understand, and agree that the term, provisions, and budgets of any and all contracts issued by StopWaste and/or ABAG hereunder are subject to increase or decrease at the sole and absolute discretion of StopWaste and/or ABAG.

B. Electronic Mail Communication

Most of the communication from ABAG regarding this RFP will be conducted by electronic mail (e-mail). Proposers agree to provide the Point of Contact with a valid e-mail address to receive this correspondence. ABAG shall include notification regarding the award announcement via e-mail and the date of transmission shall trigger the five (5) day deadline to file any protests or appeals, as described on page nine below.

C. Errors and Omissions in RFP

Proposers are responsible for reviewing all portions of this RFP. Proposers are to promptly notify ABAG, in writing, if the Proposer discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any

² Contracted services are anticipated to lay a foundation for the implementation of activities to be scaled in 2016 and beyond, contingent upon the availability of additional funds.

such notification should be directed to ABAG promptly after discovery, but in no event later than five (5) working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

D. Objection to RFP Terms

Should a proposer object on any ground to any provision or legal requirement set forth in this RFP, the Proposer must, not more than five (5) calendar days after the RFP is issued, provide written notice to ABAG setting forth with specificity the grounds for the objection. The failure of a proposer to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

E. Change Notices

ABAG may modify the RFP, prior to the proposal due date, by issuing Change Notices, which will be posted on the website (<http://abag.ca.gov>). The Proposer shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by ABAG prior to the Proposal due date regardless of when the proposal is submitted. ABAG recommends that the Proposer consult the website frequently, including shortly before the proposal due date, to determine if the proposer has downloaded all Change Notices.

F. Term of Proposal

Submission of a proposal signifies that the proposed services and prices are valid for one-hundred and twenty (120) calendar days from the proposal due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity.

G. Revision of Proposal

A proposer may revise a proposal on the proposer's own initiative at any time before the deadline for submission of proposals. The proposer must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date. In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any proposer. At any time during the proposal evaluation process, ABAG may require a proposer to provide oral or written clarification of its proposal. ABAG reserves the right to make an award without further clarifications of proposals received.

H. Errors and Omissions in Proposal

Failure by ABAG to object to an error, omission, or deviation in the proposal will in no way modify the RFP or excuse the vendor from full compliance with the specifications of the RFP or any contract awarded pursuant to the RFP.

I. Financial Responsibility

ABAG accepts no financial responsibility for any costs incurred by a firm or individual in responding to this RFP. Submissions of the RFP will become the property of ABAG and may be used by ABAG and the BayREN Coordinating Committee in any way deemed appropriate.

J. Conflict of Interest

In responding to this RFP, Proposer(s) and any subsequent Consultant(s)/Contractor(s) covenant that it/they presently have no interest and will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance or services under any Agreement which may be established as a result of this process.

K. Claims Against ABAG

No firm or its representatives shall have any claims whatsoever against ABAG or the BayREN member governments, agencies or any of its/their respective officials, agents, or employees arising out of or relating to this RFP or these procedures.

L. Reservations of Rights by ABAG

The issuance of this RFP does not constitute an agreement by ABAG that any contract will actually be entered into by ABAG. ABAG expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, proposal, or proposal procedure.
2. Reject any or all proposals.
3. Reissue a Request for Proposals.
4. Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the proposals.
5. Procure any materials, equipment or services specified in this RFP by any other means.
6. Determine that no project will be pursued.

M. Small Business Participation

The successful bidder(s) will be required to make positive efforts to utilize small businesses, minority-owned firms, and women business enterprises, whenever possible as set forth in 10 CFR 600.236(e). (<http://ecfr.gpoaccess.gov>).

N. No Waiver

No waiver by ABAG of any provision of this RFP shall be implied from any failure by ABAG to recognize or take action on account of any failure by a proposer to observe any provision of this RFP.

O. Contract Requirements

The successful proposer will be required to enter into a contract with BayREN member agency StopWaste substantially in the form provided in Attachment A, attached hereto. This contract may be augmented by additional requirements imposed by PG&E, ABAG, the CPUC, and/or the BayREN Coordinating Committee. Failure to timely execute the contract, or to furnish any and all insurance

certificates and policy endorsement, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. ABAG, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

P. Protest Procedure

Protest of Non-Responsiveness Determination.

Within five (5) working days of ABAG's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that ABAG has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must be received by ABAG on or before the fifth working day following ABAG's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for ABAG to determine the validity of the protest.

Protest of Contract Award

Within five (5) working days of ABAG's issuance of a notice of intent to award the contract, any firm that has submitted a responsive proposal and believes that ABAG has incorrectly selected another proposer for award may submit a written notice of protest. Such notice of protest must be received by ABAG on or before the fifth business day after ABAG's issuance of the notice of intent to award. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure and/or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for ABAG to determine the validity of the protest.

Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date ABAG received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

Jennifer K. Berg
BayREN Program Manager
Association of Bay Area Governments
MetroCenter
101 Eighth Street
Oakland, CA 94607
jennyb@abag.ca.gov

ATTACHMENT A
REQUIRED CONTRACT ELEMENTS:
INSURANCE POLICIES AND STATEMENT OF ECONOMIC INTEREST
RFQ for Multifamily Sustainable Landscaping Technical Assistance

It is a requirement of the Alameda County Waste Management Authority that any individual or firm selected to provide Sustainable Landscape Design Services maintain the following minimum insurance during the term of the professional services contract.

The individual or firm selected as a consultant must obtain the following insurance policies:

- **REQUIRED:** Comprehensive general liability insurance, including personal injury liability, blanket contractual liability, and broad-form property damage liability coverage. The combined single limit for bodily injury and property damage shall be not less than \$2,000,000.
- **REQUIRED:** Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented, and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
- **REQUIRED:** Statutory workers' compensation and employer's liability insurance as required by state law.
- Professional liability insurance. The limit of liability shall be not less than \$1,000,000.
(Depending on the scope of services agreed to under the terms of a contract, this requirement may be waived at the discretion of Agency staff.)

In addition, the individual or firm's project manager may be required to submit a Statement of Economic Interest Form (Form 700) as required by the State Fair Political Practices Commission. For a copy of a Form 700, please see the California Fair Political Practices Commission website at <http://www.fppc.ca.gov>

Please sign the statement below to indicate that you and your firm understand and will comply with StopWaste's required insurance policy and will submit a Statement of Economic Interest Form if requested by staff.

I have reviewed the "Required Contract Elements" information above and certify that my firm has the ability to obtain the REQUIRED insurance policies and submit the Statement of Economic Interest Form. The professional fee schedule submitted to the Authority includes any costs associated with complying with these insurance requirements unless otherwise noted in the documentation provided as required by Section V, D. of this RFQ.

I understand that failure to comply with any of these requirements will result in the Alameda County Waste Management Authority's refusal to enter into a contract for services with my firm.

Signature: _____ Date: _____

Name: _____

Title: _____

Firm/Team Name: _____